

Trend of the Tuberculosis Death Rate Is Downward

WASHINGTON, Dec. 3.—The trend of the tuberculosis death rate is downward, the Department of Commerce said today in a report showing about 88,000 deaths from this disease in the death registration area in 1921. If the rest of the country had as many deaths from this cause in proportion to population, the report added, the total in the United States was around 107,000, or 15,000 less than the estimate for 1920.

CONGRESS TO BEGIN NEW SESSION TO-DAY

Appropriation Bills to Be Launched in House—Subsidy in Senate.

Special Dispatch to THE NEW YORK HERALD, New York Herald Bureau, Washington, D. C., Dec. 3.

The extraordinary session of Congress called for November 29 by President Harding to speed up the ship subsidy measure expires to-morrow and the short and last session of the Sixty-seventh Congress convenes.

Administration leaders did all the President expected them to do—put the shipping bill through the House before December 4. The promise of final success for this legislation is not encouraging to its advocates, but the Senate can now take it up with a hope of getting a final vote before the new Congress meets.

Republicans are disappointed because the anti-lynching bill was sidetracked by a Democratic filibuster.

At the convening of the regular session to-morrow the House will be ready to take up the appropriation bills and hurry them through by March 4. While the House is launching these absolutely necessary measures the Senate will have a showdown on the shipping bill.

Republican leaders admit defeat on the Liberal loan bill, which, with the anti-lynching bill, have been thrown overboard.

The ship bill passed the House by a narrow margin. The Senate Commerce Committee will take up the bill to-morrow. Chairman Jones expects to report it favorably in a day or so. An effort will be made to restore some of the vital provisions stricken out by the House, especially that section which limits Federal aid to the merchant marine to one year.

Inaugural Republicans will join the farm bloc and Democratic Senators to prevent the passage of the ship bill. A prolonged filibuster will be resorted to prevent it from coming to a vote. So determined is the opposition to the subsidy measure that opponents make no secret of their purpose to hold up the supply bills, if necessary, to prevent its passage. The insurgents will resort to all sorts of delay to bring about a legislative jam, hoping the President will be forced to call an extra session of Congress soon after Dec. 4, next.

Sincere efforts will be made by the Administration to amend legislation at the next session to give relief to the farmers. A credits bill is now in the making. It proposes to establish a large revolving fund of \$100,000,000 or more, so farmers can obtain loans on growing crops or for harvest in warehouses, so they can hold their crops until market prices are attractive.

GOV.-ELECT AL SMITH INJURES FOOT AT GOLF

Will Have to Walk With Cane for Several Days.

Special Dispatch to THE NEW YORK HERALD, ATLANTIC CITY, N. J., Dec. 3.—As Gov.-Elect Al Smith returned from St. Nicholas Catholic Church on Pacific avenue this morning some members of the congregation who recognized him observed that he carried a stout cane and limped slightly. Inquiry developed that he wrenched his foot while playing golf on the Sea View Club course.

Mr. Smith was playing with his host, William H. Todd, head of the Todd Shipbuilding Company of Brooklyn; Dr. B. H. Harrington, Mr. Todd's physician; Mayor Patrick Griffin of Hoboken and John P. Gilchrist, Commander of Edison of New York, when he turned suddenly and strained a ligament. He will have to rely on a cane for several days.

The Governor-Elect and Mrs. Smith left this afternoon in Mr. Todd's touring car for New York, after being entertained at the Strand Hotel by Magistrate James T. O'Neill of Brooklyn. Other guests were Borough President Edward Riegelmann, Deputy Tax Commissioner William Burke, Deputy Park Commissioner John N. Harman, Peter Hansen, Henry Rosen, Mark J. Hayes, Mayor Griffin of Hoboken, T. J. Jones of the Edison Company in Brooklyn and John Goddard.

MME. SCHUMANN-HEINK ILL WITH PNEUMONIA

Contralto in Care of Specialist at Garden City.

Mme. Ernestine Schumann-Heink, famous opera and concert contralto, is seriously ill of bronchial pneumonia at her home on Clinton road, Garden City. She was taken ill during a concert at Uniontown, Pa., last Tuesday and returned to Garden City for treatment. It was stated last night her condition was not critical, although nurses are in constant attendance with a specialist from New York. The singer has been obliged to cancel engagements at Fort Wayne, Ind.; Springfield, Ohio; Grand Rapids, Mich.; Cleveland, Ohio, and other middle Western cities.

SING SING'S WARDEN NOT BARRING OFFICIALS

Persons on Business at Prison Are Still Welcome.

Lewis E. Lawes, warden of Sing Sing, made it clear yesterday that the request by Mrs. Lawes of a State efficiency expert that he should find quarters elsewhere, was not an indication that officials bent on business at the prison would be excluded from his home. He refused to discuss the stories of alleged abuses of his hospitality by official and semi-official visitors, and said there were few of these incidents.

A State efficiency expert has been doing work at Sing Sing, in connection with a survey for the State Superintendent of Industries. He arrived at the prison two months ago and was made welcome at the warden's home. His continued stay there, however, was rather inconvenient at times, and last week Mrs. Lawes asked him if he would mind changing his room for another, as she expected friends for Thanksgiving. This he declined to do and Mrs. Lawes then requested him to find lodging at a local hotel.

DENBY WANTS NAVY INFERIOR TO NONE

Says It Could Be Maintained Within Treaty Provisions.

GENERAL POLICY GIVEN

To Support Country's Trade and Guard Its Possessions.

PRaises MARINE CORPS

Development of Merchant Ship Class and Naval Reserve Advocated.

WASHINGTON, Dec. 3.—A general naval policy providing for a navy "second to none" and strong enough to support American policies and commerce and guard American continental and overseas possessions was laid down to-day by Secretary Denby in his annual report to Congress.

Such a navy, the Secretary said, should and could be maintained within the provisions of the naval limitation treaty. He added that although the present naval establishment was deficient in certain types, such as fast cruisers, aircraft carriers, seagoing submarines and aircraft, he would make no immediate recommendation for additional appropriations because of the present financial condition of the country.

Among the accomplishments of his Department during the last year the Navy Secretary recounted "the development of aviation as an integral part of the fleet," the diversion of a greater percentage of repair work to government stations, increased steaming efficiency of battle craft, return of the officer personnel to a permanent basis after the temporary enlargement during the war, an extension of the navy school facilities for enlisted men, and inauguration of extensive and advance experiments in gunnery.

He praised the record of the Marine Corps during the year, saying that previous high standards of the corps had been maintained fully. The statement of general policy contained in the report was drawn up by the Navy General Board, and was said by the Secretary to be in his opinion not only sound in the present circumstances but useful "for all times and under all conditions." The main premise of the policy was this:

"The navy of the United States should be maintained in sufficient strength to support its policies and its commerce, and to guard its continental and overseas possessions."

As a corollary to his basic principle, and in view of the naval limitation treaty terms, the general board further adopted this statement of purpose:

"To create, maintain and operate a navy second to none and in conformity with the ratios for capital ships established by the treaty for limitation of naval armaments."

"To make the capital ship ratios the basis of building effort in all classes of fighting ships."

"To direct the principal air effort on that part of the air service that is to operate from ships at sea."

"To assemble the active fleet at least

Mother Has Landlord Prosecuted, Saying He Barred Her 5 Children

Mrs. Elizabeth Darcy of 73 Fairview street, Yonkers, had B. C. Griffin, an apartment house owner, before Judge Boote in the Yonkers City Court yesterday, charging him with violating Section 2041 of Article 182 of the Penal Code by refusing to rent her an apartment because she has five children.

"I asked Mr. Griffin if I could rent a vacant apartment," she said, "and he said the rent would be \$35, which I agreed to. Then he asked me if I had children and I said I have five. He then told me he didn't care to have anybody with children."

Griffin denied that he objected to children. He said he had since leased the place to another tenant, who has not yet moved in, but Judge Boote advised him to return the month's rent that this tenant has paid until the case brought

once a year for a period of not less than three months.

"To maintain an active personnel aloft in conformity with the ratios for capital ships established by the treaty for the limitation of naval armaments."

"To maintain the Marine Corps personnel in all respects sufficient for current requirements."

"To make every effort, both ashore and afloat at home and abroad, to assist the development of American interests, and especially the American merchant marine."

"To create, organize and train a naval reserve force sufficient to provide the supplementary personnel necessary to mobilize the fleet and all its auxiliaries."

"To make the naval reserve secure in its status and organization as a part of the navy and to guard its interests."

"To cultivate a close association of officers of the active navy and of the naval reserve."

"To give to the public all information not incompatible with military secrecy."

"To have always in mind that a system of outlying naval and commercial bases is absolutely essential to the defense of one of the most important elements of national strength."

The Secretary, commenting on the results of the armament conference, said that the Navy Department had been "entirely in sympathy" with the purposes of the conference, and predicted that the benefits of eliminating competitive navy construction will be realized more and more fully as the years go by.

"For the first time in the history of our country," he said, "the navy and Congress have a definite naval policy and building and maintenance standard to work to, a standard which is proportionate to our position as a world power. The maintenance of this standard in respect is necessary to our defense and to our prestige."

"In the past, owing to the lack of a definite naval policy and to the more pressing need for building up our naval strength in capital ships, it has been impossible to maintain a well rounded navy. I feel it my duty to report to you that in certain types, such as fast cruisers, aircraft carriers, seagoing submarines and aircraft, the navy is deficient."

"It is not my intention this year, having in mind the financial condition of the country, to make any recommendations for an increase in the navy, but I recommend that as soon as conditions warrant Congress be asked for such an increase as will tend to balance our fleet and make and keep it the equal of any in the world."

The Secretary reported that during the fiscal year 276 naval vessels, including six second line battleships and 173 first line destroyers, had been placed out of commission, and continued:

"This sweeping reduction was necessitated by the cutting down of the enlisted strength of the navy to a total authorized strength of 86,000 men. All the battleships not retained in the treaty on the limitation of armaments, and a number of other vessels, on account of their material condition, have been placed out of or ordered out of commission to be either scrapped or sold."

"A large number of vessels were decommissioned with a view to retaining them in good condition for future service. The 173 destroyers, first line, are practically new vessels constructed during the war, and great care was taken in decommissioning them, so that they should suffer the least possible deterioration during the period that they will lie idle at our naval bases at Philadelphia and San Diego, Cal."

The Secretary made no recommendation for a change in the law regarding the personnel of the regular establishment, but he urged that the pending measure for reorganization of the reserve be passed "to stabilize and provide for a healthy increase in their numbers and activities."

Wanamaker Still Improves. Merchant Passes Brighter Day With Increased Strength.

PHILADELPHIA, Dec. 3.—Further improvement in the condition of John Wanamaker, III at his home with a heavy cold, was reported by his physicians to-night.

"To-day's progress," said the doctors' bulletin, issued at 8 P. M., "gives encouragement in that Mr. Wanamaker passed a quiet and brighter day, with increased strength."

"It's not silly," said Judge Boote. "It is very serious."

This law was passed last year, and the attaches about the Yonkers court said they had not heard of a case being brought under it before.

Section 2041 reads: "Any person, firm or corporation in any city owning or having in charge any apartment house, tenement house or other building used for dwelling purposes who shall refuse to rent any or any part of such building to any person or persons because of the ground that such person or family has or have a child or children shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than \$50 or more than \$100 for each offense."

SMITH WILL SWEEP OUT MILLER'S MEN

Governor-Elect Returns With Plans to Reorganize State Government.

HOME RULE IN TRANSIT

Problem Will Be Dumped in Mayor Hylan's Lap as Soon as Possible.

REPUBLICANS CLEAR WAY

Democratic Program to Encounter No Opposition in the Legislature.

Alfred E. Smith, the Governor-elect, returned last night from his post-election vacation with some of his important policies ready for the bill drafters, but with only a few of the more important names written on his big patronage slate. He will resume today his conferences with leaders, and in the next two weeks will complete the program which the new State administration will lay down for its guidance on January 1.

There is to be a moderate sort of political revolution in Albany shortly after the clock strikes in the new year. Almost as soon as the Democratic Chief Executive sets foot into the front office in the State Capitol, where he was boss for two years, things will begin to happen. Broadside at the Miller structure of government erected with great care in the last two years will be popping from the Governor's office with galling gun rapidity. Heads of departments who believed they were safe for five year terms are preparing to move, knowing it will be useless to face a Democratic administration backed by half a million plurality. Republicans anticipate a long, lean period. The Democrats are with difficulty restraining themselves until they get hold on January 1.

Power for Estimate Board.

On the subject of patronage the Governor was silent yesterday. Tammany leaders professed total ignorance of his slate. It was said at the hall that Charles F. Murphy was giving the Governor-elect a free hand and was not crowding him for jobs, wishing to help Mr. Smith in every possible way to make a success of his second term. With the 1924 Presidential race in view there is a disposition even among the most skilled of the patronage grabbers to give the Governor a chance.

Most of the fighting in the organization for the minor places on the State payroll will be confined to the other State offices—the Comptroller's, the Secretary of State's and the rest. The State Engineer and the Public Works Commissioner will have hundreds of places for the faithful workers. Mayor Fleming of Troy and Mayor Lunn of Schenectady, the Comptroller and Lieutenant-Governor-elect will hold their municipal positions. They will draw double salaries.

The two most important subjects to which Mr. Smith is addressing himself are the transit home rule measures and the plan for reorganizing the State government. Others are repeal of the motion picture censorship law; repeal of the Mulligan-Gage law making enforcement of the Volstead act a State function; reorganization of the Labor Department and revamping the workmen's compensation act by eliminating the direct settlement provisions; restoration of the direct primary system for nominating State and judicial candidates; a series of waste bills dealing with women and children; a new State water power law providing for State control and greater development; modification of the State income tax and enactment of a soldiers' bonus; a new reapportionment of Senate and Assembly districts for the State.

The decision of the six New York Republican members of the Assembly from New York to support the Democratic Governor on his home rule, transit and other important measures gives the Democrats a clear road. It also places responsibility for the Legislature squarely up to Mr. Smith. The Re-

publicans have agreed that it is purely accidental they have control of the Assembly by six votes and that acting in keeping with the spirit of the election they should let the new executive have his way. They will insist that he go through with his campaign pledges. It was the common saying for a decade that no Mayor of New York could survive the police issue, and many Mayors did break on it. Similarly, it has become axiomatic in State politics that transit is the biggest hurdle a Governor has to jump.

And now Smith is to show what he can do with it. His plan appears to be relatively simple. He will propose the most sweeping kind of home rule for cities. That will include handing over to the cities complete and absolute control of all public utilities, including municipal railroads, port projects and other developments wholly within the city and paid for with municipal funds. By this method the Governor-elect proposes to hand over the whole subject with all its vexations and glories to Mayor Hylan and the Board of Estimate. Hylan has for two years blocked the Miller plan.

The Democratic State platform, which Mr. Smith repeated during the campaign and which he has stated since his election he intends to carry out literally, declares:

"We demand repeal of the Miller legislation of 1921, which delegated power to the Transit and Public Service Commissions to increase rates without the consent of elected officials of the community affected and regardless of existing contracts and franchises. We favor a law which will authorize cities, towns and villages to own and operate omnibuses."

This in general defines the policy the Governor-elect is working out. The bills now being drawn by the two State commissions will be abolished. There will be one regulatory body with State power to handle transit, telephone and other public utilities which are intercity.

Republicans to Clear the Way.

Under the measure proposed the Board of Estimate will have power to make plans for as many subway or other transit routes as it wishes to lay down, to prescribe terms for their operation and decide whether the city itself shall operate the lines.

Mayor Hylan has insisted for the last four years that he was standing between the State government and an 8 cent fare; that he could build and operate all the subways the people need if he had his way without interference from Albany. Now he is to have the opportunity to make good. Mr. Smith will unload the whole troublesome problem by simply dumping it in Hylan's lap.

The Mayor has started by demanding that the Legislature give him authority to establish all the bus lines he wants. That is the burden of his speech now. He appears to be placing buses ahead of subways. If he can get the authority he needs, the Mayor says he will have 600 buses operating in this city within six months.

The same simple process is to be used by Mr. Smith in getting rid of the Port Authority project. Although he is a member of that body as now constituted and has fought hard for the great plan it has developed for the port, Mr. Smith has made no progress for months because of the deadlock imposed by Hylan's opposition. The law is to be amended giving the Board of Estimate authority to handle the whole enterprise. That may mean rejection of all the work done by the commission named by Gov. Miller, but it will centralize the responsibility in City Hall.

STUDY 1870 AND 1918 TACTICS.

COLUMBIA, Dec. 3 (Associated Press).—The maneuvers of the war of 1870 around Metz and of the world war at Verdun, along the Meuse and in the Argonne forest will be compared by a group of sixteen officers of the American forces in Germany, accompanied by four British officers and one French officer.

POLICE HANDSMAN A SUICIDE.

Policeman Benjamin Burton, aged 42, who played in the Police Band, attended the memorial service for deceased policemen yesterday and then returned to his home at 81 Seventy-fifth street.

Union Course, Queens, and committed suicide. Relatives said that the common illness of his wife had preyed on his mind. He had been a member of the force for twenty years and during the last five years had been attached to the Miller avenue station, in Brooklyn.

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